



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TEXAS 75202-2733

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**  
**and**  
**ELECTRONIC MAIL**

August 26, 2011

Mr. Richard F. Bergner  
Attorney at Law  
Registered Agent for National Oil Recovery Corporation  
5151 San Felipe, Suite 1950  
Houston, Texas 77056  
713-783-4832 (telephone)

**Re: Resumption of Remedial Investigation and Feasibility Study by NORCO  
Falcon Refinery Superfund Site, 2725 Bishop Road, Ingleside, San Patricio County,  
Texas**

Dear Mr. Bergner:

I am enclosing an *Agreed Order for Resumption of Remedial Investigation and Feasibility Study at the Falcon Refinery Superfund Site, Ingleside, San Patricio County, Texas* (Agreed Order) for the signature of the Owner of the National Oil Recovery Act Corporation (NORCO) or a duly authorized representative of NORCO. The Agreed Order memorializes the understanding between NORCO and Samuel Coleman, Director, Superfund Division, as well as Mr. Coleman's staff and the Office of Regional Counsel, Superfund Branch. The enclosed Agreed Order contains the terms under which NORCO will be able to resume the performance of the remedial investigation and feasibility study (RI/FS) as specified in the Administrative Order on Consent for Remedial Investigation and Feasibility Study in the matter of Falcon Refinery Site, San Patricio County, Texas, National Oil Recovery Corporation (NORCO) Respondent, CERCLA Docket No. 06-05-04 (RI/FS Order).

The enclosed Agreed Order, when signed by the Owner of NORCO or a duly authorized representative, is EPA's formal notice that EPA is withdrawing the Work Takeover of the RI/FS and rescinding the Notice of Lien issued to NORCO. NORCO is reminded, however, that Mr. Coleman emphasizes that the agreed-upon monetary amounts referenced in the Agreed Order are to be transferred into the designated escrow account as soon as practicable on or immediately after the closing of the sale of the refinery. Please send notification of the transfer into the escrow accounts when this action has occurred. Also, please note the specific timeframes in the Agreed Order associated with the resumption of the RI/FS work by NORCO.

Finally, please sign the Agreed Order and return it to me as soon as possible to commence resumption of the remedial investigation and feasibility study in order as soon as practicable. If you have any questions, please do not hesitate to contact me at 214-665-3193 or [moran.gloria-small@epa.gov](mailto:moran.gloria-small@epa.gov).

Sincerely,

A handwritten signature in blue ink that reads "Gloria Moran". The signature is written in a cursive, flowing style.

Gloria Moran  
Assistant Regional Counsel  
Superfund Branch

Enclosure